

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

**IN THE MATTER OF:**

**POET Biorefining  
13179 North 100 East  
P.O. Box 717  
Alexandria, Indiana 46001**

**ATTENTION: Dan McMahan, Plant Manager**

**Request to Provide Information Pursuant to the Clean Air Act**

The U.S. Environmental Protection Agency is requiring POET Biorefining (POET or you) to submit certain information about the facility at 13179 North 100 East, Alexandria, Indiana. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us within 30 calendar days after you receive this request.

We are issuing this information request under Section 114(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

POET owns and operates an emission source at the Alexandria, Indiana facility. We are requesting this information to determine whether your emission source is complying with the Indiana State Implementation Plan.

POET must send all required information to:

Attn: Compliance Tracker, AE-17J  
Air Enforcement and Compliance Assurance Branch  
U.S. Environmental Protection Agency  
Region 5  
77 W. Jackson Boulevard  
Chicago, Illinois 60604

POET must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards and limitations are not entitled to confidential treatment and shall be made available to the public notwithstanding any assertion of a business confidentiality claim. Appendix C provides additional information regarding the meaning and scope of the term "emissions data."

This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

We may use any information submitted in response to this request in an administrative, civil or criminal action.

Failure to comply fully with this information request may subject POET to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Manoj P. Patel at (312) 353-3565.

\_\_\_\_\_  
Date

12/20/13

\_\_\_\_\_  
George T. Czerniak  
Director  
Air and Radiation Division

## **Appendix A**

When providing the information requested in Appendix B, use the following instructions and definitions.

### **Instructions**

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

### **Electronic Submissions**

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should

allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission on physical media such as compact disk, flash drive or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

#### **Definitions**

All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*, The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any documents.

1. The terms "relate to" or "pertain to" (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.

## Appendix B

### Information You Are Required to Submit to EPA

POET Biorefining (POET) must submit the following information for its facility located at 13179 North 100 East, Alexandria, Indiana (facility) pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a):

1. Provide the name and address of the original owner and/or operator of the facility. Specify when POET acquired or otherwise became owner of the facility, and identify the individual(s), corporation(s), or other entities from whom the facility was acquired. Explain if POET has any corporate, partnership, or other business relationships or affiliations with any previous owner or operator of the facility, and if so, provide a complete description of such relationship and affiliation. Provide a list of current owners and the current corresponding ownership stake in the facility.
2. Provide the following information related to grain, from the facility's first day of operation to present:
  - a. Grain received (tons/month);
  - b. Grain in storage (tons);
  - c. Grain processed, based on amount received adjusted for change in amount stored (tons/month);
  - d. Grain processed;
  - e. Facility's total permanent grain storage capacity; and
  - f. Identify whether the facility is subject to 40 C.F.R. Part 60, Subpart DD, Standards of Performance for Grain Elevators.
3. Provide documentation demonstrating the total denatured ethanol and fuel grade ethanol production (200 proof) at the facility in terms of million gallons per month and million gallons per year, from the facility's first day of operation to present.
4. Provide documentation demonstrating the total natural gas usage by the facility in million cubic feet per month and million cubic feet per year, from the facility's first day of operation to present.
5. Provide the actual annual emissions reported to the Indiana Department of Environmental Management (IDEM) for the facility, from the facility's first day of operation to present. Provide the calculation method for the annual emissions calculations, including the basis of any emissions factors used, all assumptions made, and a copy of the reports. This should include all pollutants reported to IDEM.
6. Provide map(s) or drawing(s), identifying all air emission sources (including identification number) and associated processes at the facility, including, but not limited

to, grain receiving and handling operations, corn storage bins, hammer mills, the fermentation process, the recuperative thermal oxidizer (RTO), the distillation process, dryers (ring dryers and cooling drum), distillers dried grains with solubles (DDGS), distillers wet grains (WDG), handling and storage operations, the ethanol loading system, scrubbers, baghouses, and tanks.

7. Provide an electronic Excel compatible spreadsheet with the complete, facility-wide potential to emit calculations. Include in the response a written description of how each column in the Excel compatible spreadsheet is calculated. Additionally, provide copies of the following records related to all emissions from the facility, from the facility's first day of operation to present:
  - a. Documentation used to establish the emission rates or factors and maximum hourly emission rates for emissions of different pollutants used by the facility to determine emissions of the various process units and all other emission points at the facility;
  - b. Records of all other data used or relied upon by the facility to determine the emissions of the process units and other emission points, including physical and chemical constants; and
  - c. Records for upsets in the operation of any process units (e.g. feed dryers) that could generate additional emissions, with a description of the incident, explanation of the upset and corrective actions and any preventative measures taken. Provide an estimate of the additional emissions that occurred, with supporting calculations and background information.
8. Provide a list and copy of each stack test conducted on any emission unit for any reason at the facility, from the facility's first day of operation to present. Include all test runs, even if a full test series was not completed. In the response, clearly identify the emission unit, specify the date of the test, and test method(s) used. Emissions testing includes, but is not limited to, compliance testing, engineering testing, and testing for general information. Indicate whether the report was shared with the local and/or state permitting agency. Provide a copy of the entire report, including all calculations relative to the stack test, and the section describing the process parameters and production or processing rates at the time of the test. Also, provide copies of any reports of visible emission observations conducted during each test. For each test during which the source was not operating at maximum design capacity, provide an explanation why production was limited.
9. Description of any modifications to the CEMS since original installation. Provide copies of each certification, calibration, or Relative Accuracy Test Audit (RATA) performed on the CEMS since installation. Also, list the date(s) when each certification, calibration, or RATA was performed.
10. Provide copies of the manufacturer specifications for all RTOs at the facility. Specifications must include a diagram of the entire unit and any filters or particulate capture systems the unit utilizes to prevent particulate build up. If filters are a part of the

facility's RTO, provide a date (DD/MM/YYYY) and description of any issues the facility has had with the internal filters.

11. Provide documentation to confirm whether the facility is subject to 40 C.F.R. Part 60, Subpart NNN, Standards of Performance for Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry Distillation Operations.
12. Provide documentation to confirm whether the facility is subject to 40 C.F.R. Part 60, Subpart Kb, NSPS for Volatile Organic Liquid, including specifications of all tanks loading devices, roofs, and seals. Provide records of all annual inspections.
13. Provide documentation to confirm whether the facility is subject to 40 C.F.R. Part 60, Subpart RRR, Standards of Performance for Volatile Organic Compound Emissions from Reactor Processes.
14. Provide documentation to confirm whether the facility is subject to 40 C.F.R. Part 60, Subpart XX, NSPS for Bulk Gasoline Terminals.
15. Provide documentation to confirm whether the facility is subject to 40 C.F.R. Part 60, Subpart VV, NSPS for Equipment Leaks of volatile organic compounds (VOC) in the Synthetic Organic Chemicals Manufacturing Industry.
16. Provide a copy of the facility's Startup, Shut-down, and Malfunction Plan.
17. Provide a list and copies of all air permits and permit applications, including any permits to construct, to operate, or orders issued since the first day of operation. In the list:
  - a. Specify the date of permit issuance;
  - b. Provide a list of equipment that was modified or constructed pursuant to the permit;
  - c. State whether the permit is a minor new source review (minor NSR) permit, prevention of significant deterioration (PSD) permit, major non-attainment NSR permit or another type of permit; and
  - d. If a permit is a PSD or major non-attainment NSR permit, specify the pollutants for which such permit was issued.
18. Provide true, accurate, and complete copies of all written correspondence, determinations, documents, or communications with IDEM concerning the applicability of PSD and major non-attainment NSR rules regarding the construction or modification of equipment at the facility.
19. Provide copies of manufacturer specifications for all scrubbers at the facility. Specifications must include a minimum of a product bulletin, handling, installation, and operational manual, scrubber packing details, system details, scrubber hydraulic calculations, a generalized pressure drop correlation diagram, detailed calculation results such as tower cross sectional area, gas superficial velocity, liquid superficial velocity,



flooding pressure drop, total pressure drop, bed volume, bed mass – full of liquid, bed mass – full of water, total bed surface area, and a total number of packing pieces.

20. Provide the following information for each scrubber at the facility, from the facility's first day of operation to present:
  - a. Manufacturer's technical specifications, including capacity;
  - b. Capacity of scrubber blower in horsepower and acfm;
  - c. Scrubber water flow rate (hourly average);
  - d. Scrubber water outlet temperature ( $^{\circ}\text{F}$ , hourly average);
  - e. Scrubber exhaust gas outlet temperature ( $^{\circ}\text{F}$ , hourly average);
  - f. Type and usage rate of scrubbing additive for control of acetaldehyde (gallons per day);
  - g. The operating differential pressure across the packed bed and demister section of the scrubber (hourly average);
  - h. The monitoring system high and low alarm settings for scrubber differential pressure;
  - i. Any permit deviation reports, including start-up, shut-down, and malfunction reports including calculations used to estimate mass of material released;
  - j. Document steps taken to clean scrubber packing and frequency of cleanings;
  - k. Type of scrubber packing used and frequency of replacement;
  - l. Inspection, maintenance, and repair logs; and
  - m. Records of the scrubbing additive added into the scrubber on an hourly or a daily basis for control of acetaldehyde. This includes, but not limited to, purchase records, logs, or electronic records prepared by the facility personnel.
21. Provide the following information for each RTO system at the facility, from the facility's first day of operation to present:
  - a. Documentation demonstrating if the RTO is a regenerative or recuperative RTO;
  - b. Rated firing capacity of each fuel burner (mmBtu/hour);
  - c. Monthly natural gas usage records (in cubic feet per month);
  - d. Hourly temperature readings, in an Excel Workbook, including date and time of the readings;
  - e. Records from the monitoring system used to monitor the valve or damper position for the flow of each control device used to direct various exhaust streams to the RTO;
  - f. Describe any maintenance issues the facility has corrected since the construction and operation of the unit; and
  - g. Any permit deviation reports, including start-up, shut-down, and malfunction.
22. Provide the following information for each flare at the facility, from the facility's first day of operation to present:
  - a. Records for each event when ethanol loadout continued when associated flare was not operating properly, including the following:

- i. Date, time, and duration;
    - ii. Description of event;
    - iii. Estimated amount of ethanol loaded until the situation was corrected or loadout ceased;
    - iv. Correction action(s) taken; and
    - v. Actions taken to prevent or reduce the likelihood of future occurrences.
  - b. Any excess visible emission reports;
  - c. Destruction efficiency documentation;
  - d. Manufacturer's specifications; and
  - e. All quarterly loadout leaking vapor inspection reports.
23. Provide copies of the following operating log(s), from the facility's first day of operation to present:
- a. For process units controlled by an RTO (including yeast tanks, mash preparation units, and distillation units), the operating levels of the units during periods when the units operated when the RTO was out of service or was experiencing an upset or malfunction; and
  - b. For feed dryers (including cooling drum), periods when feed was present in a dryer while the associated RTO not in operation.
24. Provide the following information about the feed drying, feed cooling, and load out process:
- a. Identify all cyclones for the feed dryers by identification number;
  - b. A copy of the manufacturer's specifications and recommended operating and maintenance procedures for the cyclones;
  - c. Efficiency rate of the cyclones;
  - d. If emissions from feed cooling drums are handled by a baghouse and an RTO system, provide the percentage of feed cooling drum air flow handled by the RTO system and if the facility can adjust the volume of air the RTO system receives from the feed cooling drum;
  - e. Records of the monthly and annual particulate matter (PM), VOC, and Hazardous Air Pollutants (HAP) emissions from the feed cooling and transport system, with supporting calculations;
  - f. Records of the monthly and annual PM emissions from the DDGS load out system, with supporting calculations; and
  - g. Records of the monthly and annual VOC and HAP emissions from WDG transfer and load out, with supporting calculations.
25. Provide the following information about the ethanol loadout process at the facility, from the first day of operation to present:
- a. Documents for all leaks identified and actions taken to repair leaks at the railcar, truck, or barge loadout during the 5 minute check;

- b. Copies of quarterly inspection reports of the vapor collection system and the transport vehicles;
  - c. Operating records, including date and amount, of ethanol loaded; and
  - d. Explanation and calculations detailing how the facility quantifies emissions from the loading of the facility's gasoline denaturant tank, specifically during the loading of denaturant into the tank.
26. Provide the following information for each affected steam generating unit under 40 C.F.R. 60, Subpart Db, at the facility, from the facility's first day of operation to present:
- a. Calendar date;
  - b. The 30-day average hourly NO<sub>x</sub> emission rates (expressed as NO<sub>2</sub>) (in lb/million Btu heat input) measured;
  - c. The 30-day average NO<sub>x</sub> emission rates (in lb/million Btu heat input) calculated at the end of each steam generating unit operating day from the measured hourly NO<sub>x</sub> emission rates for the preceding 30 steam generating unit operating days;
  - d. Identification of the steam generating operating days when the calculated 30-day average NO<sub>x</sub> emission rates are in excess of the NSPS Subpart Db standards;
  - e. Identification of the operating days for which pollutant data have not been obtained, including reasons for not obtaining sufficient data and a description of corrective actions taken;
  - f. Identification of times when emission data have been excluded from calculation of average emission rates and the reasons for excluding data;
  - g. Identification of the times when the pollutant concentration exceeded full span of the continuous monitoring system;
  - h. Identification of "F" factor used for the calculations, the method of determination, and the type of fuel combusted;
  - i. Description of any modifications to the continuous monitoring system that could affect the ability of the continuous monitoring system to comply with Performance Specification 2 or 3 of the NSPS 40 CFR Part 60;
  - j. Results of the daily CEMS drift tests and quarterly accuracy assessments as required under Appendix F, Procedure 1.
  - k. Identify if the steam generating is an "affected" boiler under 40 C.F.R. Part 63, Subpart DDDDD, the National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Industrial-Commercial-Institutional boilers and process heaters;
  - l. Identify the fuel combusted in the steam generating unit;
  - m. The design heat input capacity (mmBTU/hour);
  - n. All oxygen levels measured in the flue gas (in hourly averages, on a dry basis);
  - o. Any permit deviation reports, including start-up, shut-down, and malfunction reports; and
  - p. Documentation of how the emissions factor(s) and the maximum hourly emission rates used by the facility to determine the CO, PM, sulfur dioxide (SO<sub>2</sub>), VOC, and HAP emissions were derived.

## **Appendix C**

### **Confidential Business and Personal Privacy Information**

#### **Assertion Requirements**

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

“Emission data” means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A), (B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114(c) of the CAA and 40 C.F.R Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the Request to Provide Information as a waiver of that claim, and the information may be made available to the public without further notice to you.

## Determining Whether the Information is Entitled to Confidential Treatment

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; that the information is not and has not been reasonably obtainable by legitimate means without your consent and that disclosure of the information is likely to cause substantial harm to your business's competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential **by page, paragraph, and sentence**. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a special event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question number 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, **explain with specificity** why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Is there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?

If you receive a request for a substantiation letter from the EPA, **you bear the burden of substantiating your confidentiality claim.** Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

### **Personal Privacy Information**

Please segregate any personnel, medical and similar files from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.